

Dr. Manning Is Elected N. Y. Bishop

Trinity Rector Chosen to
Succeed Dr. Burch on 3d
Ballot, With 201 Votes;
Dr. Stires Drops Out

Attack by Hearst Proves Boomerang

Editorial and Telegrams
Sent Delegates Anger
Both Clergy and Laity

The Rev. Dr. William T. Manning, rector of Trinity, was elected Bishop of the Protestant Episcopal Diocese of New York last evening to succeed the late Right Rev. Charles Sumner Burch. The choice of the special convention, which was held in Synod Hall, in the Cathedral of St. John the Divine, was announced after the third ballot. The final vote gave Dr. Manning a total of 201; the Rev. Dr. Charles L. Slattery, rector of Grace Church, 173, and the Right Rev. Nathaniel S. Thomas, Bishop of Wyoming, 10.

On the motion of the Rev. Dr. Ernest M. Stires, rector of St. Thomas's Church, who ran second on the first ballot, third on the second ballot and who then withdrew, the vote for Dr. Manning was made unanimous, and the man whom the Hearst newspapers opposed for Bishop on the ground that he was of English birth became the tenth Bishop of the largest diocese in America.

Remarkable Convention

In many respects the convention was the most remarkable ever held by an Episcopal diocese. To begin with, up to the time the delegates arrived, there seemed to be little or no information as to the relative strength of the candidates. Interest grew tense after the second ballot, when Dr. Slattery withdrew, and the fact, leaving only Drs. Manning, Slattery and Thomas in the field.

The convention hall and corridors hummed with speculation as to who would receive the vote of the delegates. The first two ballots, Dr. Slattery and Dr. Manning led on both these ballots there were delegates who predicted the election of Dr. Slattery as the winner. But after the third ballot, as predicted, but also a sufficient number went to Dr. Manning from Dr. Thomas and Dr. Slattery to give him the necessary majority for election.

It was the Hearst editorial "bomb" that stirred up a sensation in the convention. The New York American in its editorial of the morning, carried an exhortation to the Episcopal clergy and laity of the diocese to choose for the important see a man who was a native-born American. As a result of this editorial, which was signed by the editor as "American," because of his birth, there were numerous delegates who entered the balloting filled with indignation and with their minds made up firmly to vote for Dr. Manning.

Hearst Propaganda

Prior to the convening of the convention at 2 p. m. and during the lunch hour of the delegates three men with copies of The New York Evening Journal, which also contained an editorial denouncing the candidacy of Dr. Manning, appeared at the entrance to Synod Hall. It was estimated they gave away 500 copies of the newspaper to the delegates.

At this time it became known that several hundred telegrams containing the text of The American's editorial had been sent out by the Hearst newspaper to the clergy of the diocese. Some of the delegates, who were in the convention hall, and immediately there developed a feeling of indignation at what was termed by several of the delegates as "unwarranted interference in the affairs of the Protestant Episcopal Church."

The whole effect seemed to be one of crystallizing sentiment on behalf of the candidacy of Dr. Manning. The procedure of the convention was the only one of the candidates present throughout the entire session.

Dr. Manning was placed in nomination by Edmund L. Hayles, a lay delegate from the Trinity Church, who was formally seconded by the Rev. Dr. John P. Peters, rector emeritus of St. Michael's Church, who proceeded to a reading of the editorial in The American and the telegram which had been addressed to the clergymen. An occasional hiss greeted the reading of the telegram.

Ovation for Manning

On request of the president of the convention, Dr. Harry P. Nichols, delegates were enjoined from applauding while nominating or seconding addresses were being delivered. When Dr. Hayles, the first one to speak in behalf of Manning, concluded, there was a burst of applause.

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Ghouls Foiled in Attempt To Steal Sen. Kean's Body

Grave Robbers Frightened Off
by Police in Elizabeth,
N. J. Cemetery

ELIZABETH, N. J., Jan. 26.—A guard placed to-day at the grave of Senator Kean in Evergreen Cemetery here, to prevent grave robbers from exhuming the body and holding it for ransom.

Word was brought to the police last night that body snatchers were at work in the cemetery. Half a dozen patrolmen reached the cemetery just after midnight and found the grave had been opened and the body had been taken away. The ghouls just as they were about to break through the concrete in which the coffin is set, having a light through the frozen earth to the distance.

Julian H. Kean, president of the National State Bank here, a brother of the late Senator Kean, said that he could not see any motive for the vandalism unless the grave robbers intended to hold his brother's body for ransom.

Senator Kean's son, Hamilton, who is a member of the Republican National Committee and of the banking firm of Kean, Taylor & Co., of New York, declined to discuss the matter.

For your convenience, if you wish to see a man who is in the city, please call on him at his home, 111 West 12th St., New York City, or at his office, 111 West 12th St., New York City.

The New Bishop



The Rev. William T. Manning

Investigators Clear Schwab Of All Charges

Committee Satisfied Story
That U. S. Paid Part of
\$260,000 Expense Bill on
Ship Contracts Is Untrue

Steele Issues Statement

WASHINGTON, Jan. 26.—With the approval of Chairman Walsh, members of the House Committee investigating the Shipping Board declared in a statement to-day that they were satisfied after hearing all the evidence and examining the documents that the charge that Charles M. Schwab received money from the government for his personal expenses while serving as wartime director of the Emergency Fleet Corporation, "was not proved; and, further, that it was not true."

The statement was issued by Representative Steele, Democrat, of Pennsylvania, after discussion with the other members who heard the testimony in New York and Washington relative to the \$260,000 voucher, its issuance in advance of the full report of the committee or the results of its investigation was unusual, but members explained that it had been decided to "break away from long established rules on the grounds of fairness to one unjustly accused."

When the final report of the whole inquiry is submitted to Congress it was said that the committee would rely more in more formal form its belief that the charge was without justification.

Walsh Consents to Statement

Mr. Steele's statement was issued after it had been read by Chairman Walsh, who announced that he had no objection whatever to its publication.

"When asked if he cared to make any statement relative to the hearing held by the select committee on Shipping Board expenditures on the charge that Mr. Charles M. Schwab had received payment for expenses which were charged against the Shipping Board Emergency Corporation to ship construction cost, Mr. Steele replied that the members of the committee who heard all the testimony and saw the documents were satisfied that the charge was not proven; and further, that it was not true."

"Mr. Steele further said this statement was made with the knowledge and consent of the members of the committee."

Incident Closed

The committee will continue its general hearings here next week, but it was said the voucher incident, certainly so far as it related to Mr. Schwab, had been closed.

Mr. Schwab, his voice shaking with emotion, expressed his appreciation yesterday when told that he had been exonerated by the Walsh committee.

"That is the best news I have ever heard," he said. "I appreciate beyond words the action of the committee in so promptly exonerating me from the unfounded charge that has been so widely circulated. I am grateful for the fairness and thoroughness of its investigation, and I also want to express my appreciation for the expressions of confidence and sympathy uttered by Representative Foster at the close of the testimony yesterday."

"I take this opportunity to thank the hundreds of people from all parts of the country who have sent me messages of confidence. I shall write to them all as promptly as possible."

Baker Makes No Comment

From The Tribune's Washington Bureau

WASHINGTON, Jan. 26.—The unsuccessful attempt of American soldiers to capture the German submarine U-201, which was sighted off the coast of the Delaware River, brought no comment from Secretary of War Baker to-day when shown the dispatch from Berlin telling of the incident.

Mysterious Shocks Rock Towns In New Jersey and Pennsylvania

PHILADELPHIA, Jan. 26.—A severe earth shock was felt to-night in Southern New Jersey and Eastern Pennsylvania. Belief that it had been caused by an explosion of dynamite, which was made at every known explosive plant within a radius of fifty or more miles, but no evidence was forthcoming to substantiate the explosion theory.

Despite this fact Professor John A. Miller, in charge of the seismograph at Swarthmore College, to-night insisted that it could not have been an earthquake, as the delicate instruments in the Swarthmore observatory had failed to register it. He said that "it must have been due to an explosion, as the seismograph would not record such a disturbance."

Virtually every town near Philadelphia felt the shock, which was reported to have been of several seconds' duration and accompanied by a loud rumbling such as trucks make in passing over cobblestone pavement.

G. Bergdoll Eludes Trap In Germany

U. S. Army Officers Surround Draft Dodger in an Auto, but He Knocks Gun Aside and Escapes

One of His Friends Shot in Fusillade

Philadelphian's Fugitive Driver Almost Caught; Americans Are Arrested

BERLIN, Jan. 26.—An attempt was recently made at Eberbach to kidnap Grover Cleveland Bergdoll, American draft evader, and a companion named Stecher (Isaac Stecher, Bergdoll's chauffeur) by five men in an automobile, two of whom were American military intelligence officers and one an American sergeant, according to the Eberbach Zeitung.

Bergdoll was being driven to the Eberbach railway station to meet wedding guests when the automobile was suddenly surrounded and its occupants ordered to surrender. The party attempted to escape and one of the Americans fired, the newspaper says, wounding a German friend of Bergdoll in the right hand. Police officers appeared and the five men fled, but the two alleged intelligence officers and another of the men were arrested later.

Villagers Defend Him

Before the appearance of the police a number of villagers, sympathizing with Bergdoll, surrounded the five men and seized three who attempted to pursue Bergdoll's automobile. Upon the approach of the police the villagers dispersed. The five are believed to have come from Speyer, in the occupied zone.

The man wounded was a relative of the bride-to-be.

Stecher has been living at Eberbach, a small town in Baden, for several months, according to a dispatch to the Tagblatt from Karlsruhe. Last Saturday the two men were invited to a wedding at Eberbach. Bergdoll accompanied the bride couple to the railway station, where they were to call for other wedding guests. Bergdoll remained behind, while the bride and groom proceeded to the station platform.

As the party was about to leave the station a motor car dashed up and five men alighted. They surrounded the car and ordered the driver to stop. The chauffeur suspected a plot and promptly started the engine, whereupon one of the strangers stepped up to Bergdoll, pointed a revolver at him and demanded that the car be halted under pain of instant death.

Pursue Bergdoll's Car

Bergdoll brushed the weapon aside, by which time his car was already well under way. The car with the five men took up the pursuit. Several shots were fired at the bridal party, it is alleged, and one of the members was wounded.

The commotion attracted passersby and the police placed under arrest the pursuers, whose car had arrived from Speyer (Spies) Saturday morning, ostensibly for the purpose of forcibly seizing the two Americans and transporting them to the occupied zone.

A special dispatch says that the car was in charge of two officials from the American army of occupation, who were accompanied by four German detectives. The Americans gave the pursuers no time to get away. These two men are supposed to be American detectives, hailing from Denver. The Germans in the party were Gustaf Steiger, Gottfried Koim, August Paschke and the driver, named Hilkebrand. All four are said to hail from Osterstadt, in the palatinate sector of the occupied zone.

Big Reward Reported Promised

EBERBACH, Jan. 26.—A party, comprising two American officers and four Germans, came here last Saturday in a large touring car from Speyer in search of Grover Bergdoll and Isaac Stecher. They were armed and carried handbills and were alleged also to have had with them a bottle containing some unknown fluid.

The men are said to have been promised a reward of 500 marks each for the capture of Bergdoll and Stecher. They entered the occupied sector. After the arrest of the members of the search party some of them admitted having been in the car for some time shadowing fugitive Americans. They spent money freely while here, gathering information concerning the movements of Bergdoll and Stecher.

Convict Taken to Visit His Dying Child Escapes

Sing Sing Guard Searches Many
Hours for Prisoner Before He
Notifies Warden Laws

Thomas Burke, with seven more men to serve at Sing Sing for burglary, came to New York and his guard yesterday to see his child who was near death from pneumonia, gave his keeper the slip and was being searched for early this morning by the police and by the keeper sent from Sing Sing by Warden Lewis E. Laws.

It was not until 1 a. m. to-day that Francis O'Neill, the keeper who accompanied Burke, telephoned to Warden Laws that he had lost his man. He admitted that Burke had made his escape hours before but said that he had been hunting for him himself.

The police learned that Burke and O'Neill left the former's home, 311 West Twenty-sixth Street, at 4:30 p. m., intending to take a train from the Grand Central Terminal at 5:30. They were due at Ossining about an hour later and when they failed to appear, Warden Laws sent a patrol to keep an eye out for Burke although, not having heard from O'Neill, he could not be certain that the prisoner had escaped.

Warden Laws said that O'Neill had been told that he could see his child in the hospital, but he could not see him because of the escape or O'Neill's failure to report it at once. The keeper would be tried on charges, he said.

Sweden Extends Suffrage

Men and Women to Vote
Whether Taxpayers or Not

STOCKHOLM, Jan. 26.—Both houses of Parliament have ratified by large majorities amendments to the Swedish constitution extending the parliamentary vote to both men and women, irrespective of the restrictions concerning the payment of taxes. Women will be eligible to sit in either chamber, there will be a single election day throughout the country and henceforth the Riksdag will elect its own officials. Formerly it was the king's privilege to appoint the president and vice-presidents of the Riksdag.

Finns Ask Nobel Prize For U. S. Red Cross

HELSINGFORS, Jan. 26.—The Finnish government has decided to recommend to the Nobel Prize Committee that the award of the Nobel Peace Prize be made to the American Red Cross, on the ground that "its blessed activities materially relieved suffering in the war, served the purposes of humanity and promoted mutual solidarity of the nations."

Auto Graft Case Goes to Jury To-day

Whitman's Evidence Expected to Lead to Indictment of Three Detectives and Man Higher Up

Important Witness Is Reported Missing

Political Pressure Brought to Bear on Ex-Governor to Drop the Inquiry

Evidence which it is believed will result in the indictment of three detective sergeants connected with the Police Department automobile "squad" will be presented this morning to the January additional grand jury by ex-Governor Charles S. Whitman, its special counsel.

This is said to be a forerunner of other evidence, which, in the opinion of Mr. Whitman and Assistant District Attorney James E. Smith and William Chivers, two of Mr. Whitman's assistants, will lead directly into Police Headquarters and will result in the indictment within a week of one of the powers in the present police administration.

Arthur M. King, another of the Whitman assistants, devoting his time to the evidence presented by Meier Steinbrink, special counsel to the Board of Estimate's probe of city contracts, admitted yesterday that at least one of the most important witnesses in his investigation had evaded the jurisdiction of the grand jury and now was in New Orleans.

Mr. Whitman and ex-Magistrate Frederick J. Groch, attached to his staff, spent more than a half hour yesterday with a woman who is said to have furnished a mass of valuable information in connection with police graft.

Other Departments Involved

There were indications that the Whitman investigation would spread beyond the Police Department. The other departments involved are the Dock Department and the Street Cleaning Department.

The courthouse contract which has engaged the attention of Samuel Untermyer, counsel to the Lockwood legislative committee, also will be investigated.

District Attorney Edward Swann and Mr. Whitman had a forty-minute conference yesterday afternoon, during the day, but the former Governor said he intended to go as far as he could with the inquiry, regardless of what was said.

There has been found by Mr. Whitman and his assistants an indication of willingness on the part of many persons convinced of the sincerity of the investigation to give valuable information. In fact, the leads are so numerous, one of Mr. Whitman's assistants said yesterday, that the staff of investigators would have to be materially increased to handle the tips, and if these develop another grand jury will be necessary to handle the evidence.

The investigation of the alleged automobile graft has been going on for two weeks. Royal H. Weller, former Assistant District Attorney under Whitman, appeared again yesterday—driven by a car belonging to the investigation—to represent the insurance companies said to have paid to the Craig plantation.

Everybody at Mitchell Field is mad enough to stage a massacre, and all because "Cy" and the medical authorities got all tangled up over whether "Cy" had smallpox, German measles, tonsillitis or ptomaine poisoning and made every man, woman and child at Mitchell Field get vaccinated.

Officially "Cy" is a sergeant in the Fifth Aerial Squadron. Unofficially, at Mitchell Field, at least, he is something that would hardly pass the censor. Nobody had anything against him, however, until last Monday, when he became ill and broke out all over with rash. The medical officers gave him a thorough examination and—bingo—the Cid had smallpox.

Immediately Mitchell Field was quarantined and the medical "brigade" began an offensive of vaccination. Then they sent for the Nassau County health officer. He looked at "Cy's" tongue, felt his pulse, took his temperature and then hurled a vicious cackle of triumph into the teeth of the military doctors.

Mrs. Vanderbilt Becomes Bride Of S. J. Colford

Simple Wedding Takes Place at Her Park Avenue Residence; Justice Henry B. Hotchkiss Officiates

Society will be surprised to learn of the wedding yesterday afternoon of Mrs. Neilson Vanderbilt to Sydney J. Colford Jr., at the home of the bride, 405 Park Avenue. No announcement had been made of the engagement and none but relatives and a few intimate friends knew of the marriage. There had been rumors among the members of the fashionable world that Mrs. Vanderbilt and Mr. Colford would be married some day, but no confirmation of an engagement could be obtained.

The wedding was very simple and only members of the two families were present at the ceremony, which was performed by Justice Henry B. Hotchkiss, of the Supreme Court of the State of New York. The bride wore a simple afternoon gown of dark blue chiffon and a small turban of blue straw and chiffon. Her only attendant was her daughter, Miss Cathleen Vanderbilt. Mr. Colford had no best man and there were no ushers. Mr. and Mrs. Colford took out their marriage license yesterday at the Municipal Building.

Yesterday's bride obtained a divorce from Reginald C. Vanderbilt, youngest son of the late Cornelius Vanderbilt and Mrs. Vanderbilt, about a year ago in New York, and she was granted the custody of her daughter.

Mrs. Colford was Miss Cathleen Gebhard Neilson, daughter of the late Frederic Neilson and Mrs. Neilson, and was married to Mr. Vanderbilt in Newport, April 14, 1913. It was a brilliant wedding and took place at Arleigh, the cottage which Mrs. Neilson had for the summer. The engagement was announced just after Mr. Vanderbilt was graduated from Yale in 1902.

Mrs. Colford is a niece of the late Freddie Gebhard. Mr. Vanderbilt is the son of the late Frederick Gebhard and Mrs. Vanderbilt, Mrs. Harry Payne Whitney and of the Countess Laszlo Szechenyi.

This also is Mr. Colford's second marriage, his first wife having been Mrs. C. Knight, of Philadelphia. She obtained a divorce from him in New York last spring. It was the present Mrs. Colford who brought about the divorce, which was granted by the Supreme Court of New York. She was married to Mr. Colford and his wife more than fourteen years ago.

They were married in Philadelphia thirteen years ago, the marriage being one of the social events of the year. Following the wedding they lived in their residence in Newport, where they entertained extensively.

At the beginning of the war Mr. Colford drove an ambulance for the French army, which was decorated with the Croix de Guerre. He received a commission in the United States Marines, and while serving with them received the Croix de Guerre. Mr. and Mrs. Colford had two children, Dorothy Knight Colford and Clara Knight Colford. The first Mrs. Colford has been living in the city for a year.

Divorced Husband a Year Ago; Bridegroom Was Divorced Last Spring

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Take Negro From Police, Then Burn Him at Stake

Arkansas Mob Puts the Alleged
Slayer of Man and Daughter
to Death Near Scene of Crime

OSCEOLA, Ark., Jan. 26.—Henry Lowery, a negro, charged with the murder of C. T. Craig and his daughter, Mrs. C. O. Williams, at Nodena, Christmas Day, was burned to death by a mob to-night on the Mississippi River levee near Osceola.

Lowery was taken across the river into Arkansas by the group of men which earlier had taken him from officers at Nodena, Miss. The negro was driven to a place near Osceola, where a plantation is located, according to information received here. The mob then took him to the levee near the scene of the crime, and, driving a stake into the ground, chained the negro and burned him to death. The mob then dispersed.

600 Are Shot With Vaccine, All on Account of Shrimps

One "Cy" Young has become one of
baseball's most illustrious immortals.

Another "Cy" Young would achieve immortality this very day if any of 600 persons at Mitchell Field, the aviation post at Garden City, L. I., dared to commit murder; and the medical officers at the post and the health officer of Nassau County, probably would be listed as "others seriously injured."

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Miller Assails Critics; Republican Ranks Split Over His Traction Plan

Nation-Wide Lockwood Inquiry Is Demanded

Lockwood Is Beaten; Aid Deserts Him

McWhinney Shifts Front and Opposes Measure That Gave Committee the Power It Sought

NEW ORLEANS, Jan. 26.—Resolutions calling for a continuation of the nation-wide probe of building material prices begun by the Lockwood committee in New York were passed at to-day's session of the Associated Contractors of America.

The resolutions, which were introduced by R. E. L. Rhinehardt, vice-president and secretary of a large contracting firm of St. Louis, also request state legislatures in the thirty-seven states represented by the association to conduct sweeping investigations into the prices asked by building material manufacturers doing business in their states, with a view to punishment of any guilty of conspiring to keep prices up.

ALBANY, Jan. 26.—Assemblyman Thomas A. McWhinney, of Nassau County, who is vice-chairman of the Lockwood committee and has been one of the leaders in the movement to broaden its powers to enable it to investigate money-lending institutions suddenly shifted his ground this afternoon and began fighting the unannounced resolution which would have given the committee the very powers which he had advocated up to that time.

Senator Charles C. Lockwood, chairman of the committee, later characterized as amazing and wholly unfounded the statements made by McWhinney and called attention to the fact that the report of the committee which was embodied in the unannounced resolution had been approved in writing by McWhinney.

During the debate on the resolution in the Assembly, some of the "Republican members from New York City" hurled sarcastic questions at McWhinney, while Assemblyman Charles D. Donohue, the minority leader, was unsparing in his criticism of the conduct of the committee member.

Amended Resolution Adopted

The original resolution was defeated by a vote of 41 to 82, and the amended resolution, which Senator Lockwood declared would trip the committee, was adopted by a viva voce vote.

Only nine Republicans from New York City voted to support McWhinney in his fight for the emasculated Lockwood resolution. They were Aaron D. Di Tiro, Jesse, Rayner and Miss Smith, of Manhattan; Wells, Dougherty and Mullen, of Brooklyn, and Halperin, of Queens.

The New York City Republicans who voted for the resolution in its unamended form were: Clayton, Carroll, Caulfield, Crews, Druss, Gempier, Glickson, G. Moore, Moses and Warren, of Brooklyn; Steinberg, Fox, Wallace, Lieberman, Reiss and Hallack, of Manhattan; and Neary and Pette, of Queens. The Democrats and the three Socialists also voted for the unamended resolution.

Lobbyists from insurance companies and savings banks have been hard at work for weeks to trip the committee, and the defeat of the unamended resolution. Some of them were present when they saw the cause of their fears put to death. The debate was begun by Minority Leader Donohue moving to substitute the resolution in its original form for the emasculated resolution reported out by the Assembly Ways and Means Committee.

Minority Leader Adler explained what the amended resolution did. He said that it not only permitted an investigation of banks and insurance companies in the traction problem, but that the Lockwood committee, under the new powers, could investigate stores, loft and office buildings and apartments in addition to dwelling.

Hints at Conspiracy

Then Mr. McWhinney rose and urged the defeat of the original resolution. "There is an organized effort to divert the Lockwood committee from its housing inquiry to an investigation of banks and insurance companies," said McWhinney. "We are doing far more important work in our inquiry into housing conditions and I do not believe we should be diverted from the subject. There is an organized effort to bring about that diversion, but the inquiry into housing should go on. The members of the Lockwood committee do not want an inquiry into banks at this time, I believe."

When McWhinney was asked to say where this organized effort came from, he said: "It came from the insurance companies."

Declares Foes Are Playing Politics or Ignorant of Provisions in Measure He Recommends

Denies Upstate Men Will Rule Board

Asserts Commission, Not Companies, Will Determine Question of Fare

Hylan Declares Miller's Transit Plan Is Illegal

Asserts Courts Would Not Sustain Invasion of Constitutional Rights of City by State Traction Board

Would Annul 5-Cent Fare

Says Companies' Stock Is Still Watered; Sees a Solution in More Buses

Mayor Hylan, in a statement issued yesterday, bitterly attacked Governor Miller's proposals to deal with the local traction situation. The Mayor declared that if the Legislature put into effect the measures outlined by the Governor in his message Monday the city's constitutional rights would be invaded and the courts would never uphold the act.

Referring specifically to the Governor's proposal for the creation of a new state traction board, the Mayor says it is an attempt to "abrogate, annul and revoke solemn agreements, particularly as to a 5-cent fare."

He takes issue with the Governor's assertion that the water has been squeezed out of the transportation companies' stocks and declares that the Interborough, for instance, is making money on its contract with the city, but is losing money on its contracts with the Manhattan Railway Company, "whose lines it leased on a guaranteed dividend of 7 per cent upon \$50,000,000 capital, a great portion of which is water."

Early decisions on pending legal questions involved in the traction problem will make the Governor's proposals unnecessary, the Mayor says. The real solution, he adds, lies in more buses.

Text of Mayor's Statement

The Mayor's statement follows: "The proposal to create by legislation a state transit board, independent of municipal control, to which shall be transferred the power and authority now possessed under the law by the Board of Estimate and Apportionment, with further power to revise, abrogate, annul and revoke solemn agreements, particularly as to a 5-cent fare, can never be written into a statute which will be approved by our courts as valid and constitutional."

"The proposal made by the Governor would bring into effect a change in fares without the consent of the city authorities."

"It would attempt to legislate away the effect of the decision of the Court in the case of the Interborough."

"Oh, no. It means just what it says, that the city's contracts entered into under the plan shall be required."

"Will the city's consent be necessary to increased fares?"

"City's Consent Not Required

"No, the regulatory powers will be vested solely in the Public Service Commission. This power resides in the state alone."

"The regulatory powers include the fixing of fares?"

"Certainly," answered the Governor. "The contracts were made by the Board of Estimate and Apportionment, and they contained a clause requiring the approval of the board to any changes. However, I find no statutory warrant for that provision, the only consent of municipal authority to changes expressly required by the statute being consent to changes of plan."

"When this language was called to the Governor's attention, and he was asked if it meant that the city could establish their own rates, he replied: 'Oh, no. It means just what it says, that the city's contracts entered into under the plan shall be required.'"

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"No, the regulatory powers will be vested solely in the Public Service Commission. This power resides in the state alone."

"The regulatory powers include the fixing of fares?"

"Certainly," answered the Governor. "The contracts were made by the Board of Estimate and Apportionment, and they contained a clause requiring the approval of the board to any changes. However, I find no statutory warrant for that provision, the only consent of municipal authority to changes expressly required by the statute being consent to changes of plan."

"When this language was called to the Governor's attention, and he was asked if it meant that the city could establish their own rates, he replied: 'Oh, no. It means just what it says, that the city's contracts entered into under the plan shall be required.'"

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